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1 2 3 4 5 6	MARGARET A. KEANE (State Bar No. 255 mkeane@dl.com DEWEY & LEBOEUF LLP 1950 University Avenue, Suite 500 East Palo Alto, CA 94303 Telephone: (650) 845-7000 Facsimile: (650) 845-7333 Attorneys for Defendant LSI APPRAISAL, LLC	*E-FILED - 5/7/09*	
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8	UNITED STATE	S DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN JOS	SE DIVISION	
11	FELTON A SPEARS, JR. and.) CASE NO.: 5:08-CV-00868 (RMW)	
12	SIDNEY SCHOLL, JUAN BENCOSME and CARMEN) CLASS ACTION	
13 14	BENCOSME on behalf of themselves and all others similarly situated,)))	
15	Plaintiffs,))	
16	V.) STIPULATION AND []) ORDER RE: BRIEFING SCHEDULE	
17	FIRST AMERICAN EAPPRAISEIT (a/k/a eAppraiseIT, LLC), a Delaware limited liability company;	AND ADJOURNMENT OF HEARING DATE FOR MOTION TO INTERVENE	
18 19	and LENDER'S SERVICE, INC., (a/k/a LSI Appraisal, LLC), a))	
20	Delaware limited liability company		
21	Defendants.) _)	
22	WHEREAS, on March 30, 2009, Plaintiffs filed their Second Amended Complaint for		
23	Damages, Equitable, Declaratory and Injunctive Relief (the "Second Amended Complaint") and		
24	a Motion to Intervene by Putative Class Members Juan and Carmen Bencosme (the "Motion to		
25	Intervene");		
26			
27			
28			
	Stipulation and [] Order re Briefing Schedule Case No. 5:08-CV-00868		

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WHEREAS, absent an extension of time, First American eAppraiseIT's and LSI Appraisal, LLC's time to move against, answer or otherwise respond to the Second Amended Complaint will expire on April 13, 2009;

WHEREAS, counsel for First American eAppraiseIT and LSI Appraisal, LLC have indicated to counsel for Plaintiffs that they intend to file motions to dismiss the Second Amended Complaint and will request a hearing date for oral argument in connection therewith;

WHEREAS, the parties have conferred and agree that it would be most efficient and equitable to coordinate the briefing schedule and hearing date on Defendants' anticipated motions to dismiss with the briefing schedule and hearing date on Plaintiffs' Motion to Intervene:

WHEREAS, without an extension, the time for eAppraiseIT and LSI Appraisal, LLC to file a response to the Motion to Intervene is on or before April 17, 2009, and the time for Plaintiffs to file their reply memorandum is on or before April 24, 2009. In addition, Plaintiffs have requested a hearing date in connection with their Motion to Intervene on May 8, 2009 at 9:00 a.m.; and

WHEREAS, the parties have conferred and agree that, to allow for the preparation of First American eAppraiseIT's and LSI Appraisal, LLC's anticipated motions to dismiss and responses to the Motion to Intervene, and to accommodate Passover and the personal and professional schedules of counsel, it would be most efficient and equitable to adjourn the hearing on Plaintiffs' Motion to Intervene from May 8, 2009 at 9:00 a.m. to June 5, 2009 at 9:00 a.m. and to have the hearing on Defendants' motions to dismiss at that same date and time. The parties hereby stipulate and agree to the briefing schedule and hearing dates set forth below and in the attached [Proposed] Order.

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1 2	IT that:	ΓIS H	IEREBY STIPULATI	ED by the parties,	by and through th	neir undersigned counsel,
3	(1	.)	The Date for Defenda	ants to file their m	otions to dismiss	the Second Amended
4			Complaint and respon	nses to Plaintiffs'	Motion to Interve	ne will be on or before
5			April 21, 2009;			
6	(2	2)	The Date for Plaintiff	s to file their resp	onse to Defendan	ts' motions to dismiss the
7			Second Amended Co	mplaint and reply	on their Motion t	o Intervene will be on or
8			before May 15, 2009;	;		
9	(3	3)	The Date for Defenda	ants to file replies	on their motions	to dismiss the Second
10			Amended Complaint	will be on or before	ore May 22, 2009;	
11	(4	!)	The Hearing Date for	Plaintiffs' Motion	n to Intervene, pro	eviously requested to be
12			held on May 8, 2009	at 9:00 a.m., will	be adjourned to Ju	une 5, 2009, at 9:00 a.m.;
13			and			
14	(5	5)	The Hearing Date for	Defendants' mot	ions to dismiss the	e Second Amended
15			Complaint will be Jui	ne 5, 2009, at 9:00	a.m.	
16						
17						
18				DEWEY & L	eBOEUF LLP	
19	Dated:	Anril	10, 2009	By: /s/ Marga	ret A. Keane	
20	Dates.	p	10, 2009	Margaret	A. Keane, SBN 2	255378
21				DEWEY & L	EBOEUF LLP ity Avenue, Suite	500
22				East Palo Alto	•	
23				Facsimile: (6:	50) 845-7333	
24				Attorneys	s for Defendant L	SI Appraisal LLC
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26						
27				_		
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Dated: April 10, 2009 By: / Joseph N. Kravec, Jr.	1			DLA PIPER LLP
Jeffrey_rotenberg@dlapiper.com 1251 Avenue of the Americas New York, NY 10020-1104 Tel: (212) 335-4556 Fax: (917) 778-8556		Dated:	April 10, 2009	By: / Jeffrey D. Rotenberg Jeffrey D. Rotenberg
Tel: (212) 335-4556 Fax: (917) 778-8556 Attorneys for Defendant First American EAppraiseIT SPECTER SPECTER EVANS & MANOGUE, P.C. Dated: April 10, 2009 By: / Joseph N. Kravec, Jr. Joseph N. Kravec, Jr. jnk@essem.com The 26th Floor Koppers Building Pittsburgh, PA 15219 Tel: (412) 642-2300 Fax: (412) 642-2309 Attorneys for Plaintiffs Attorneys for Plaintiffs Sitpulation and [der re Briefing Schedule]				Jeffrey.rotenberg@dlapiper.com 1251 Avenue of the Americas
SPECTER SPECTER EVANS & MANOGUE, P.C.				Tel: (212) 335-4556
SPECTER SPECTER EVANS & MANOGUE, P.C.	6			Attorneys for Defendant First American
SPECTER SPECTER EVANS & MANOGUE, P.C.	7			EAppraiseIT
Dated: April 10, 2009 By: / Joseph N. Kravec, Jr.	8			
Dated: April 10, 2009 By: / Joseph N. Kravec, Jr.				SPECTER SPECTER EVANS & MANOGUE, P.C.
Jink@essem.com The 26th Floor Koppers Building Pittsburgh, PA 15219 Tel: (412) 642-2300 Fax: (412) 642-2309 Attorneys for Plaintiffs Attorneys for Plaintiffs Pittsburgh, PA 15219 Tel: (412) 642-2309 Attorneys for Plaintiffs Pittsburgh, PA 15219 Tel: (412) 642-2309 Attorneys for Plaintiffs Pittsburgh, PA 15219 Tel: (412) 642-2309 Attorneys for Plaintiffs Pittsburgh, PA 15219 Tel: (412) 642-2309 Attorneys for Plaintiffs Pittsburgh, PA 15219 Tel: (412) 642-2309 Tel: (412) 642-2309	10	Dated.	April 10, 2009	By: / Joseph N. Kravec Jr.
The 26th Floor Koppers Building Pittsburgh, PA 15219 Tel: (412) 642-2300 Fax: (412) 642-2309 Attorneys for Plaintiffs Attorneys for Plaintiffs Attorneys for Plaintiffs 16 17 18 19 20 21 22 23 34 24 25 26 Stipulation and [der re Briefing Schedule	11		1.5.1.	Joseph N. Kravec, Jr.
Tel: (412) 642-2300 Fax: (412) 642-2309 Attorneys for Plaintiffs Attorneys for Plaintiffs 17 18 19 20 21 22 23 24 25 26 27 28 Stipulation and [der re Briefing Schedule	12			The 26th Floor Koppers Building
Attorneys for Plaintiffs Stipulation and [der re Briefing Schedule]	13			Tel: (412) 642-2300
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Case No. 5:08-CV-00868	20			

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1 2 UNITED STATES DISTRICT COURT 3 NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION 5 FELTON A SPEARS, JR. and. CASE NO.: 5:08-CV-00868 (RMW) 6 SIDNEY SCHOLL, JUAN BENCOSME and CARMEN **CLASS ACTION** 7 BENCOSME on behalf of themselves and all others similarly 8 situated, 9 Plaintiffs, STIPULATION AND [] v. 10 ORDER RE: BRIEFING SCHEDULE FIRST AMERICAN EAPPRAISEIT AND ADJOURNMENT OF HEARING 11 (a/k/a eAppraiseIT, LLC), DATE FOR MOTION TO INTERVENE a Delaware limited liability company; 12 and LENDER'S SERVICE, INC., (a/k/a LSI Appraisal, LLC), a 13 Delaware limited liability company 14 Defendants. 15 16 [] ORDER 17 Pursuant to the Parties' Stipulation, the Court hereby 18 **ORDERS AS FOLLOWS:** 19 (1) The Date for Defendants to file their motions to dismiss the Second Amended 20 Complaint and responses to Plaintiffs' Motion to Intervene will be on or before April 21 21, 2009; 22 (2) The Date for Plaintiffs to file their response to Defendants' motions to dismiss the 23 Second Amended Complaint and reply on their Motion to Intervene will be on or 24 before May 15, 2009; 25 (3) The Date for Defendants to file a reply on their motions to dismiss the Second 26 Amended Complaint will be on or before May 22, 2009; 27 28

[] Order re Joint Briefing Case No. 5:08-CV-00868

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on May 8, 2009 at 9:00	a.m., will be adjourned to Ju Defendants' motions to dismis	
DATED:5/7/09	Ronald M. W. United States Distr	M. Whyte Thyte Thyte Tict Judge